

Record of Proceedings: August 14, 2012
West Chester Township Board of Trustees - Regular Meeting

Convene: President Stoker convened the meeting at 6:00 p.m..

Roll Call: Mrs. Stoker, Mr. Wong and Mr. Lang responded.

Pledge of Allegiance: Repeated by those present.

Citizen's Comments

Gerald Koehne, 8022 Le Blanc Way, speaking on behalf of the West Chester Historical Society, expressed appreciation for the cooperation and permission from the Township in conducting the 2012 Miss Mary Archeological Dig on Port Union Trail at the old icehouse foundation. Mr. Koehne in particular noted the assistance of Tim Franck, who helped coordinate the dig for them. Mr. Koehne also noted that among the dozens of citizens that logged more than 600 hours participating in the dig were seventeen Boy Scouts. Fourteen of those scouts were able to complete the eleven step process toward acquiring their archeology badge. Artifacts found during this dig are retained by the Historical Society, but remain the property of the Township; including a 1934 coin that was found.

Mary Jo Bicknell, 5171 Rialto Rd., as President of the West Chester Historical Society she thanked the Trustees and township staff for their assistance and for allowing the archeological dig and noted how it helps the Boy Scouts. Mrs. Bicknell also commented on the helpful support given by a UC geology student and some retired engineers that have helped for the past four or five years on the dig.

Carl Rullmann, 8285 Ventle Dr., asked the Trustees if, by their actions, they'll preserve, protect, and defend the Constitution; and push back against unfunded mandates and unconstitutional regulations. Mr. Rullmann in particular asked that the trustees object to national traffic sign specifications.

Presentations

There were no presentations

Action Items – For Approval by Motion

MOTION to approve the Trustee Meeting Minutes of June 12, 2012. Mr. Lang motioned approval, seconded by Mr. Wong. **Motion carried unanimously.**

MOTION to approve payment of bills: Mr. Lang motioned approval, seconded by Mr. Wong. **Motion carried unanimously.**

Mrs. Boyko submitted the following requisitions greater than \$2,500:

Requisitions – Greater than \$2,500.00

1. Adm \$20,068.43 Dell Marketing L.P. – Purchase computer hardware per replacement program (various depts.)
2. Fire \$3,103.34 Sutphen Corporation – Purchase fuel tank for Engine 71, vehicle #405

3. Services \$10,000.00 Valley Asphalt Corp. – Purchase pavement materials for in-house repair of various Township streets (Increase PO #S121024)
4. Services \$8,542.22 Viox Services, Inc. – Replace an overhead door at West Chester Safety Services Center
5. Services \$4,084.85 The Max Construction Group LLC – Replace four (4) exterior doors at the West Chester Safety Services Center

MOTION made by Mr. Lang for approval of items 1 through 5, seconded by Mr. Wong.
Motion carried unanimously.

Personnel Items

In preparation for the discussion related to the Personnel Item, Mrs. Boyko reviewed the history of the merit pay only township policies. In 2006, West Chester abandoned the typical government step increase system and instituted a merit compensation program for applicable non-contract employees. The intention was to reward employees for initiative, performance, and productivity. Under this system since 2006, increases are based on merit rather than a step pay system used by most public employers. Additionally the trustees adopted and have periodically revised related policies and procedures governing the program. The program has been successful. The anticipated positive results have been achieved. Annually the Board considers a percentage for merit pool based on the current payroll of applicable employees; and the Board also considers annually a not to exceed increase for any individual employee merit. After extensive research by the HR division, the current merit performance raises were presented for the Board’s consideration: a 2% pool of the current payroll of applicable employees and a not to exceed 4% merit increase for any individual employee’s merit performance.

The intention is to reward outstanding employees financially but within budgetary constraints. The increases presented are consistent with median increases projected and awarded across all employee categories and industries and regions in the public and private sectors in 2012. The cost for the additional merit increases would be an estimated pool of \$80,000. Generally the entire pool is not utilized.

MOTION made by Mrs. Stoker to approve 2.0% of applicable current payroll for consideration for 2012 merit performance raises for all qualified non-contract exempt and non-exempt employees and to approve a not to exceed percent of 4.0% increase for any individual employee’s merit performance and to authorize the Township Administrator to approve and apply said merit performance increases effective the first full pay period in July subject to already approved and existing related policies and procedures. Motion seconded by Mr. Wong.
 Discussion:

Mrs. Stoker commented that we need the best from our employees during these challenging times, noting that since 2006 none of the impacted employees have received a cost of living increase; nor do they receive step increases, only merit raises. Mrs. Stoker also referred to The Mercer Report regarding employment and salary practices, saying in the Mercer review of the market salary increases for 2012 will be slightly higher than the 2.8% salary increases in 2011, and higher salary

increases are expected for top performers. Also, The McGladrey Report expects base salary increases of 2.4 to 2.5% in order to retain core employees critical to future success. Locally, 14 out of 21 public sector employers expect to give either cost of living raises or merit raises this year to their employees amounting to 2.02% to 2.3%. Based on these studies Mrs. Stoker asserted our proposed merit raises are a little below the market, and well within what the Township can afford.

Mr. Wong said the economy warrants close attention to revenues and expenditures, and the Township has implemented best management budgeting and expenditure practices. These considerations coupled with the Township's efforts to reduce its workforce make the proposed increase affordable.

Mr. Lang said he agreed with much of what the other two said - that our employees should be compensated for their efforts - but disagreed with doing this at this time. He said our remuneration practices changed in 2006 to make it more business-like, however, unlike businesses, when our income contracts, our payroll doesn't. He also said this was the worst economic downturn in our lifetime, noted a reduction in Township revenues, and a projected increase in foreclosures in Butler County. Furthermore, it's the private sector that feeds the government, and it's unsustainable for government to continue to grow when the private sector is shrinking. He also stated The Mercer Report says public employees are compensated 43% higher than their private sector counterparts, which has developed over the years, and this merit raise is not prudent at this time. He concluded by saying he just wanted to make sure we're sustainable into the future so we don't need to reduce services because we can't afford people.

Mrs. Stoker responded that she felt Mr. Lang made some good points. However, as long as she has been a trustee, West Chester has always taken an extremely prudent and careful approach to our finances. Mrs. Stoker stated the public sector jobs Mr. Lang spoke of were not employees of West Chester. While other communities were spending more than they were taking in; West Chester was growing its reserves. She believes this merit increase is a prudent investment to make sure we keep our very best and brightest employees. "We only reward those that are doing well." Mrs. Stoker stated that if we don't reward good performance, as soon as a better job comes along our best employees will leave. Mrs. Stoker reminded the Board that the cost of the administration of the township has remained almost flat for years, as our employees who were getting only modest merit increases took on more and more work so the township did not have to hire more personnel. Their increased productivity has allowed the township to save the equivalent cost of fourteen employees who left and were not replaced. Their hard work has saved the cost of this merit increase many times over every year.

Lee Wong asserted, "We have always been very cautious about how we spend our money. We have cut back merit raises down to 2%. Many positions have not been replaced. We have exercised our fiscal responsibility."

Mrs. Boyko respectfully interjected her observation that potential merit raises would apply to a pool of about 75 employees, a reduction of about 14 employees that have not been replaced, amounting to an approximate 20% reduction in force, comparable to the private sector reduction-in-force practices. She also said she takes a holistic approach to remuneration policy, looking at the entire package, including increased employee healthcare contributions. Mrs. Boyko made the point that the employee share of the cost of health care premiums have increased from nothing 6 years ago to 15% within the next three years.

Mrs. Stoker noted that Mrs. Boyko "one of our very best and hardest working employees, has not received any kind of wage increase since 2009. That's something we need to address soon."

The **motion carried** with Mrs. Stoker and Mr. Wong voting affirmatively and Mr. Lang opposed.

Business Items

MOTION made by Mr. Lang to not object to a liquor permit transfer for RC McGuire Group, Inc. DBA RJ's Sports Pub & Patio, 7886 Cincinnati Dayton Road, seconded by Mr. Wong. There was no discussion. **Motion carried unanimously.**

MOTION made by Mr. Lang to not object to a liquor permit ownership revision for Dingle House LLC 1st Floor and Patio, 9102 West Chester Towne Centre Drive, seconded by Mr. Wong. There was no discussion. **Motion carried unanimously.**

MOTION made by Mr. Lang to not object to a liquor permit ownership revision for A&A Mavi Petroleum Inc. DBA Tylersville Sunoco, 7424 Tylersville Road, seconded by Mr. Wong. There was no discussion. **The motion carried unanimously.**

First Reading of Resolutions & Reading of Emergency Resolutions

There were no first readings of resolutions or readings of emergency resolutions.

Citizen's Comments

Barry Riddell, 8069 Lawrence Dr., commented on the amendment to the zoning resolution adopted last August restricting commercial parking on residential property, saying they negatively impacted tradesmen, noting a same size non-commercial vehicle would, however, be exempt. He also said they applied to people who generally do not have a commercial location to park their vehicles, reside in lower property value areas, and it targets skilled tradesmen, a group that has been harshly impacted in this economy. Conversely, higher value neighborhoods have natural "filters" such as homeowners association's that restrict such vehicles. Lastly, he said, when Township zoning personnel were questioned, they assured people attending the meeting in which this resolution was approved that it would not apply to smaller commercial vehicles - just big trucks, etc. - but enforcement has been applied to smaller commercial vehicles.

Second Reading & Vote on Pending Resolutions & Vote on Emergency Resolutions

There were no second readings & vote on pending resolutions, or vote on emergency resolutions.

Discussion Items & Trustees Comments

Mrs. Boyko initiated the discussion regarding proposed no parking zones on Manor Drive, Minuteman Way, and Smith Road, all in close proximity to public grade schools. Restricted parking would apply to stated selected hours on school days for the Manor Drive and Minuteman Way areas, but apply to all times, every day on Smith Road. The first two recommendations are originated by the Township, and the latter was originated by the Homeowner's Association. The recommendations stems from a public safety interest to ensure the safety of students crossing respective streets is not hindered by site distance and to remedy the congestion of buses, pedestrians, and potentially parked vehicles. If the Board favorably considers the proposed locations for no parking zones, a motion to commence no parking zones can be scheduled with a public hearing date established. The public hearing date will be set with enough time to comply with ORC notification requirements and to ensure the necessary procedures can be initiated and implemented. Mrs. Boyko responded to Trustee questions. She said the process would

originate, if the Board consents to initiate the process, with the Board motioning and establishing a public hearing date, after which all the property owners would be notified of the hearing. As Mr. Lang will be committed to another meeting on the date of the next Trustee meeting, September 11th, the next opportunity for this matter as an agenda item would be September 25th. The Board agreed that as long as they were merely exploring the recommendations and would have time to investigate them, not making any commitments to the recommendations prior to citizen's input and could terminate the process at any time, they were agreeable to going forward.

Mr. Wong declared, "I do what people want, so let the process roll."

Mrs. Boyko was asked by Mrs. Stoker to address Mr. Riddell's concerns. Mrs. Boyko noted that Mr. Riddell had recently expressed his concerns at the first public presentation to the Zoning Resolution Review Committee, that the Board is not considering resolution changes until the committee makes its recommendations, and that Mr. Riddell properly presented his concerns to that committee.

Mr. Lang said he was concerned with any unintended consequences with the amendment, but our Community Development Planner, Bryan Behrman, gave assurances this resolution would not be applied to smaller commercial trucks, and believed it was being properly addressed when referred to the Zoning Review Committee. He also asked that this portion of our zoning be put on hold, but the other two expressed concern with arbitrarily enforcing the code.

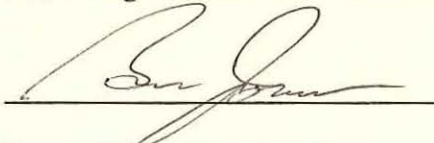
Mrs. Boyko said she'd discuss with Community Development Director Juengling as to whether any short term solutions exist.

Mr. Lang commented on Mr. Rullmann's remarks during Citizen's Comments about "pushing back", and said unfunded mandates are unconstitutional and they should stop forcing them on local governments. As a result, they were going to meet with our State Senator and State Representative to discuss unfunded mandates, as well as share concerns with the Ohio Township Association, hopefully receiving their help in pushing back against unfunded mandates. They'll later pursue on the federal level. Mr. Lang additionally commented that if the federal government was going to mandate something, they should give local governments the funds to fulfill the mandate.

Mrs. Stoker commented that all tax money comes from taxpayers, and she would rather it were administered locally rather than through the federal government due to local efficiency. Mrs. Stoker indicated she did not have a problem with unfunded mandates pertaining to traffic signs, appreciating the nationwide consistency of them. She believes the federal government is acting within its authority to promote interstate commerce in part through traffic signage specifications.

Adjournment

At 7:14 p.m., Mrs. Stoker asked for a motion to adjourn, so moved by Mr. Lang and seconded by Mr. Wong. **Motion carried unanimously.**



Bruce Jones, Fiscal Officer



Catherine Stoker, President